

REMARKS

Claims 1-20 are pending in the application. Claims 1, 10 and 15 are the independent claims. Claims 1-9 stand rejected.

Claim Objections

Claims 1-9 stand objected to because of the following informalities: at line 1 of claim 1 “for use a” should be “for use in a.” Applicants have amended the claim and respectfully request reconsideration.

Specification

The specification stands objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01 (o).

Applicants respectfully disagree. Moreover, the Office has misstated Applicants previous response. On page 3 of the present Action, the Office asserts that:

At pages 7 and 8 applicant then argues *the requirement for clear antecedent basis in the claims* applies to only new or amended claims.

Action, p. 3 (Emphasis added.) Applicants argument was to provide excerpt the MPEP and to note that:

[T]he Office’s Response to Arguments did not address a very fundamental point raised by the Applicants: **original claims form part of the specification**. Thus, because claim 6, for example, is an original claim, surface normal vector was included in the specification as originally filed and the claim has proper support whether or not that support is also listed earlier in the specification. See MPEP § 608.01(o).

Response, p. 7 (Emphasis in original).

Applicants submit that the amendment that the Office is requesting is not required by law and that the original claims and specification do provide clear antecedent basis.

Applicants’ position is clear from the record. Nevertheless, because the Office desires to see the language in the specification and will not otherwise allow the claims, Applicants have amended the specification. Inasmuch as the amendment is not required, the addition to the specification is not new matter. Therefore Applicants have amended the specification as *required by the Office*. Reconsideration is respectfully requested.

Claim Rejections - 35 USC § 101

Claims 1-9 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In response, Applicants have amended the claims to directly tie various acts of the method to the computer graphics system, e.g., “receiving at the graphics system,” “selecting by the graphics system,” etc. Consequently, the Office’s assertion is no longer applicable that:

The human operator performs the following claimed method steps of claim 1 : "receiving", "selecting", "substituting", and "determining" with the last step "storing" considered to be insignificant extra-solution activity not critical to the solution.

Action, p. 4.

Reconsideration is respectfully requested.

CONCLUSION

In the view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the application for any reason, the Examiner is encouraged to contact Applicants’ representative.

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